REMARKS

This paper is responsive to the Office Action mailed May 17, 2007.

In the Office Action, claims 1-38 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hawkins et al. (Patent No. 6,343,318 B1) in view of Ando (Publication No. US2002/0173907A1). Reconsideration and withdrawal of these rejections are respectfully requested.

I. Independent claim 1

Independent claim 1 recites:

> **responsive to the first request for content, sending to the mobile device an address of the requested content in a reference format;**
>
> **receiving a second request from the mobile device for the content subsequent to the first request for content, the second request received from the mobile device being different from the first request received from the mobile device, the second request specifying an address of the requested content and a type of the mobile device;**

The primary reference to Hawkins et al. do not teach receiving a second request from the mobile device for the requested content, as acknowledged in the outstanding and previous Office Actions. It falls, therefore, to the secondary reference to Ando to teach or to suggest the claimed subject matter. Failing such, the 35 U.S.C. §103(a) rejection must be reconsidered and withdrawn.

Ando does not teach or suggest, whether considered alone or in combination with Hawkins et al., receiving the first and second requests as claimed. That Hawkins et al. fails to do so has already been established (and repeatedly acknowledged by the Office). The Examiner is again respectfully reminded that the definite article "the", in the recitation "the second request specifying an address of **the** requested content" refers to the same "requested content" as the first request from content received from the mobile device.

Keeping the foregoing in mind, it is respectfully submitted that Ando does not teach a second request from the mobile device for the content requested in the first request for content from the mobile device. In other words, neither Hawkins et al. nor Ando, whether considered singly or in combination, teach or suggest receiving both a first request for content and a second request for **the** content from the mobile device, and much less receiving the second request for the content such that the second request specifies "an address of the requested content and a type of the mobile device," as claimed.

Indeed, Hawkins et al. teach one way for a mobile device to receive content (using a single HTTP request – see Hawkins et al.'s Fig. 1) and Ando teaches another way for a mobile to receive content (again, using a single request). However, both patents teach that mobile devices issue a **single request** that is serviced to return the requested content to the mobile device. That two patents use two different methods for a mobile device to retrieve data does not, in itself, teach or suggest a mobile device that issues two separate requests to obtain content. There is no teaching or suggestion in Ando that would motivate a person of ordinary skill to modify Hawkins et al. to achieve the claimed subject matter in which a second request is received for the content requested by the first request for content, as is discussed below in detail. Quite to the contrary, the person of ordinary skill in the art would not be motivated to use two requests to obtain requested content, as both Hawkins et al. and Ando teach that a single request from a mobile device is sufficient to obtain the requested content.

Ando teaches that the mobile device issues a single request to receive requested content. See, for example, Ando's Abstract:

(57) **ABSTRACT**

The present invention relates to a data communication system in which a first request signal containing position information is transmitted from a first mobile unit (**6**) to a base station (**2**), and in which the base station (**2**) searches for a, second mobile unit (**5**) in accordance with the position information contained in the first request signal, then transmits a second request signal to the second mobile-unit (**5**), and returns data returned from the second mobile unit (**5**) to the, first mobile unit (**6**).

Ando's Abstract can be traced onto his Fig. 2 (annotated herewith) as follows:

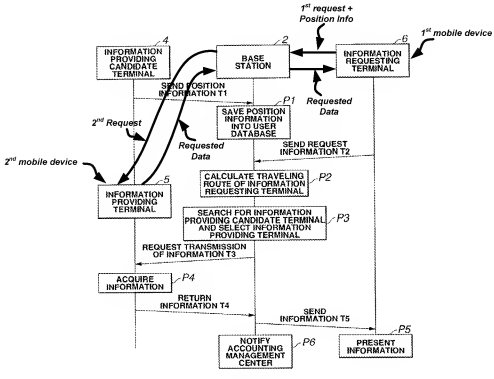


FIG.2

As can be seen, a single request (1st request + position information) from the mobile device 6 results in the base station 2 making a 2nd request to a second mobile device 5. The base station 2 then searches for and finds another mobile device 5, using the position information provided by the 1st mobile device 6. The mobile device 5 then returns the requested data to the base station 2, which then forwards the requested data obtained from the second mobile device 5 to the first

mobile device 6. Note that the first mobile device 6 makes a **single** request for data, which single request is then serviced by the base station via the second mobile device 5. The first mobile device 6 makes a single request and receives, in return, the requested data.

Contrast this with claim 1 of the present application:

> **receiving a second request from the mobile device for the content subsequent to the first request for content,**

Note that the second request is received from **the** mobile device for **the** content subsequent to the first request for content. As noted above, in claim 1, the second request is from the same mobile device from which the first request was received, and for the same content. Ando simply teaches a single request for content, which single request is then serviced by the base station 2. That the base station 2 in Ando makes a request for the data from a second mobile device 5 to satisfy the request from the first mobile device 6 is not germane to claim 1.

The Office pointed to paragraph [0013] of Ando as teaching the claimed second request from the mobile device. Paragraph [0013] is reproduced herein below:

> **[0013] Another mobile device according to the present invention comprises: position information acquisition means for acquiring position information; signal generation means for generating a first request signal containing the position information; input means for inputting data; and communication means for communicating a signal to/from an external device or another mobile device. When requesting data obtained by another mobile device, the communication means of this mobile device transmits the first request signal containing the position information to the external device and receives data returned from another mobile device in accordance with the first request signal. When providing data to another mobile device, the communication means receives a second, request signal containing information related to another mobile device transmitted from the external device and returns data inputted by the input means in accordance with the second request signal to another mobile device.**

Paragraph [0013] can be parsed this way:

a) the structure of a mobile device:

> **[0013] Another mobile device according to the present invention comprises: position information acquisition means for acquiring position information;**

signal generation means for generating a first request signal containing the position information; input means for inputting data; and communication means for communicating a signal to/from an external device or another mobile device.

b) how the mobile device works when requesting data obtained by another mobile device:

When requesting data obtained by another mobile device, the communication means of this mobile device transmits the first request signal containing the position information to the external device and receives data returned from another mobile device in accordance with the first request signal.

c) how the mobile device works when providing data to another mobile device:

When providing data to another mobile device, the communication means receives a second, request signal containing information related to another mobile device transmitted from the external device and returns data inputted by the input means in accordance with the second request signal to another mobile device.

As the Office will note, the structure of the mobile device is not remarkable: a position information acquisition means, signal generation means, input means and communication means. When receiving data obtained by another mobile device, the mobile device transmits the first request, and receives data from the other mobile device in accordance with the first request. This is the situation illustrated in Fig. 2 above and described in the Abstract. When providing data to another mobile device (this is the situation from the point of view of the 2nd mobile device 5 of Fig. 2 above), the second mobile device 5 receives the 2nd request (from the base station 2) and returns the requested data to the mobile device (to the 1st mobile device 6, through the base station 2, as shown and described relative to Fig. 2 above).

Therefore, Ando does not teach or suggest, whether considered alone or in combination with Hawkins et al., for a mobile device to

responsive to the first request for content, sending to the mobile device an address of the requested content in a reference format;

> **receiving a second request from the mobile device for the content subsequent to the first request for content, the second request received from the mobile device being different from the first request received from the mobile device, the second request specifying an address of the requested content and a type of the mobile device;**

as required by independent claim 1. Indeed, the applied combination fails to teach or to suggest receiving a second request from the mobile device for the content subsequent to the first request for content, in which the second request received from the mobile device is different from the first request received from the mobile device, and much less teaches or suggest receiving a second request that specifies an address of the requested content and a type of mobile device, all of which are required by independent claim 1.

II. Independent claim 20

On page 8, the Office refers to a Hawkins et al.-Ndili combination, although Ndili was not applied in this Office Action. For purposes of this response, it is assumed that the Office meant "Ando", instead of Ndili.

Independent claim 20 recites:

> **a first proxy server configured to receive a second request from the mobile device for the content, the second request received from the mobile device being different from the first request received from the mobile device, the second request including the address of the requested content in the reference format and a type of the mobile device, to fetch the content at the received address responsive only the second request only, to convert the fetched content from the reference format to a format suitable to the type of mobile device and to deliver the converted content to the mobile device.**

Kindly note that claim 20 includes the recitation "a second request from the mobile device for the content" and "the second request including the address of the requested content," as does independent claim 1. Therefore, the arguments advanced relative to claim 1 are equally applicable to independent claim 20. As such the above arguments are incorporated herein by reference as if

repeated here in full. Independent claim 20, therefore, is believed to be allowable for the same reasons as is independent claim 1.

Moreover, claim 20 requires a first server configured as claimed and a first proxy server, which is a separately claimed element from the first server. However, the Office has identified the first server and the separately claimed first proxy server as both corresponding to Hawkins et al. item 180. Assuming, *arguendo*, that the claimed first server and the separately claimed first proxy server both correspond to Hawkins et al.'s item 180 (which they do not), the requirements of the claim are still not satisfied. Missing from the applied combination is the "second request received from the mobile device being different from the first request received from the mobile device, the second request including the address of the requested content in the reference format and a type of the mobile device." Missing also is a first server (204 in Applicant's Fig. 3) configured to receive the first request (S1 in Applicant's Fig. 3) from the mobile device and a second server (the claimed first proxy server – see 208 in Applicant's Fig. 3) that is configured to receive a second request (S3 in Applicant's Fig. 3). Each of the two references disclose a single server (the proxy server 180 in Hawkins et al. and the base station 2 in Ando) that receives a single request (HTTP request in Hawkins et al.) from the mobile device to receive the requested content (HTTP response in Hawkins et al.). It is only independent claim 20 (and not the applied combination) that recites a first server and a first proxy server, each being configured to receive a separate request from the mobile device for the same content, as claimed.

The Office points to Ando's paragraphs [0013] to [0023] as teaching the claimed first proxy server configured…"to fetch the content at the received address responsive only the second request only, to convert the fetched content from the reference format to a format suitable to the

type of mobile device and to deliver the converted content to the mobile device", as recited in independent claim 20.

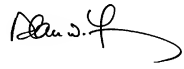
Paragraph [0013] has been dissected above. Paragraphs [0014], [0015] and [0016] detail functional structure for the single base station 2. Paragraphs [0017] describes a communication system … adapted to carrying out communication among a first mobile unit, a second mobile unit and **a** base station. Note the absence of any first server **and** a first proxy server, as required by independent claim 20. Paragraphs [0018], [0019] and [0020] detail the method outlined in the Abstract above and shown in the annotated Fig. 2 above, including searching for the second mobile unit by the base station 2 (paragraph [0021]). Paragraphs [0022] and [0023] are drawn to Ando's computer program for carrying out the functionality detailed above. From the foregoing, it is clear that Ando, whether considered alone or in combination with Hawkins et al. (as it must in the context of the applied §103(a) rejection, does not teach or suggest the embodiments of claims 1 or 20.

Indeed, both the rejections of independent claims 1 and 20, it is respectfully submitted that the combination of Hawkins et al. and Ando would not teach the claimed embodiments. Rather, a person of ordinary skill in this art in full possession of both references would only be motivated to modify Hawkins et al. by modifying Hawkins et al.'s proxy server 180 to search out and find another mobile device in accordance with position information provided by the first mobile device, to obtain the requested data from the found other mobile device and to provide the data to the first mobile device, as taught by Ando. Missing and wholly unsuggested from such a combination would be the methods and computer systems claimed herein, particularly the second request for the content requested by the first request for content as claimed in both claims 1 and 20 and the first server and the first proxy server, each configured as claimed in claim 20. Reconsideration and

withdrawal of the obviousness rejections of claims 1 and 20 and of their respective dependent claims are, therefore, respectfully requested.

It is believed that the arguments presented in this Response overcome the outstanding rejections and places this application in condition for allowance. Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Should the Examiner have any further questions regarding this Response or the application in general, he need only call the undersigned, and whatever is needed will be done immediately.

Respectfully submitted,



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